

TIMBERLY E. HUGHES,  
Plaintiffs *in Propria Persona*  
59 Long Bay Road  
Akaroa, New Zealand

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA  
PLAINTIFF

v.

CASE NO. 3:18-cv-5931-JCS

TIMBERLY E. HUGHES  
DEFENDANTS

**DEFENDANT'S AFFIDAVIT PERTAINING TO EXPERT WITNESS AND ACCESS TO  
INTUI PRODUCTION FOLDER**

STATE OF CALIFORNIA                     )  
   )     ss  
COUNTY OF SAN DIEGO                     )

I Timberly E. Hughes do hereby solemnly affirm that the statements herein are true and correct in substance and in fact and that I have personal knowledge of each and make these statements under penalty of perjury under the laws of the United States of America and do comprehend the penalties for perjury, to wit:

1. I received an email from Plaintiff, on March 26, 2021 inviting me to share the "Intuit Production" folder on Box. I emailed Plaintiff on March 27, 2021 indicating that I was not able to access or open the folder and asked Plaintiff to please send me copies of everything in pdf. Format. . EXHIBIT A

2. On March 31, 2021, Plaintiff responded and informed me that my request made no sense because there was only one pdf. File and the rest were the actual Turbo Tax programs and could not be sent as a pdf. In my prior email I had explained I was unable to open anything that was attached in the Box that Plaintiff shared with me. EXHIBIT B

3. On April 1, 2021 I explained again that I was not able to open anything and that they could send me a laptop with all the downloads that they wanted me to review. Plaintiff responded that they were simply the same down loads that I had and that it was “neither here nor there” and sent me a link from Best Buy to purchase a \$200 computer and that I was surely able to spend that since I had sent a copy of a plane ticket that was for travel within Italy that cost the same amount. I pointed out to the Plaintiff that there is no Best Buy in Italy and that we were currently under lockdown and were not permitted to leave our commune and that the plane ticket Plaintiff was referring to was for travel in March of 2020, was before the pandemic and also was purchased in 2019, and had no bearing on the issue of not being able to access the files Plaintiff sent me. EXHIBIT C.

4. On April 2, 2021, I received an email from Plaintiff, with a copy of the Declaration by Lisa Skelly from Intuit, again stating that it was my responsibility to open the files that they sent. EXHIBIT D.

5. On April 6, 2021, I filed the Objection to the witness and a deposition request to speak to the witness as this was in violation of Rule 26(a) and 26 (f).

6. On April 7, 2021, I received an email from Plaintiff explaining to me that they were fully cooperating in sharing me the files they received from Intuit and that I was out of time for Discovery. Plaintiff attached the email stating that I had accepted the invitation to share the “Intuit Production” folder and that I was operating out of time as Discovery had closed. What Plaintiff has failed to note, is that I was never able to access any of the product and that Plaintiff knew about this witness prior to the close of Discovery and are preventing me from access now. This is in bad faith and is yet another demonstration that the Plaintiff is trying to prejudice the Court against me. Exhibit E.

*Timberly E. Hughes*  
Timberly E. Hughes, Affiant

STATE OF CALIFORNIA                    )  
  )       ss  
COUNTY OF SAN DIEGO                )

Subscribed and Sworn to before me a notary public on this 8th day of April 2021.

\_\_\_\_\_  
Signature of Notary

[Is]

1 TIMBERLY E. HUGHES,  
2 Defendant *in Propria Persona*  
3 59 Long Bay Road  
4 Akaroa, New Zealand

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9 v.

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1 TIMBERLY E. HUGHES  
2 DEFENDANTS  
3 \_\_\_\_\_/

4 **CERTIFICATE OF SERVICE**

1 I Timberly E. Hughes hereby certify that a true and correct copy of the foregoing was  
2 duly served upon the plaintiff's attorney of record, David L. Anderson and Nithya Senra, at  
3 the address of P. O. Box 683, Ben Franklin Station, Washington, DC 20044, via first class  
4 mail and online this 8<sup>th</sup> day of April 2021.

5 By: *Timberly E. Hughes*